

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: ETHICON, INC. PELVIC
REPAIR SYSTEMS PRODUCTS
LIABILITY LITIGATION**

**Master File No. 2:12-MD-02327
MDL 2327**

**ETHICON WAVE 10 CASES LISTED IN
EXHIBIT A**

**JOSEPH R. GOODWIN
U.S. DISTRICT JUDGE**

**NOTICE OF ADOPTION OF ETHICON'S MOTION TO EXCLUDE THE OPINIONS
AND TESTIMONY OF DR. JIMMY W. MAYS FILED IN WAVE 4**

Defendants Ethicon, Inc. and Johnson & Johnson ("Ethicon") adopt and incorporate by reference Ethicon's Motion to Exclude the Opinions and Testimony of Dr. Jimmy W. Mays [Dkt. #3642], Ethicon's Memorandum of Law in Support of Motion to Exclude the Opinions and Testimony of Dr. Jimmy W. Mays [Dkt. #3647], and Ethicon's Reply [Dkt. #3847] previously filed in Wave 4.¹ Ethicon respectfully requests that the Court exclude Dr. Mays' testimony in the Wave 10 cases identified in Exhibit A for the reasons expressed in the Wave 4 briefing adopted and incorporated herein.

Dated: May 7, 2019

Respectfully submitted,

/s/ Susan M. Robinson

Susan M. Robinson (W.Va. Bar #5169)
Thomas Combs & Spann PLLC
300 Summers Street
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 25338
(304) 414-1807
srobinson@tcspllc.com

¹ Although Dr. Mays has filed a new report beginning with Wave 5, this report is substantively the same with respect to the opinions challenged in Ethicon's Wave 4 Motion, and Ethicon's arguments in that Motion apply equally to the Wave 5 report.

/s/ William M. Gage

William M. Gage (MS Bar #8691)

Butler Snow LLP

1020 Highland Colony Parkway

Suite 1400 (39157)

P.O. Box 6010

Ridgeland, MS 39158-6010

(601) 985-4561

William.Gage@butlersnow.com

COUNSEL FOR DEFENDANTS

ETHICON, INC. AND JOHNSON & JOHNSON

CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to CM/ECF participants registered to receive service in this MDL.

/s/ Susan M. Robinson

Susan M. Robinson (W.Va. Bar #5169)

Thomas Combs & Spann PLLC

300 Summers Street

Suite 1380 (25301)

P.O. Box 3824

Charleston, WV 25338

(304) 414-1807

srobinson@tcspllc.com